



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/798,475 Filing Date: March 10, 2004  
Confirmation No.: 7412  
First Named Inventor: Yi Ding  
Examiner: Smoot, Stephen W. Art Unit: 2813  
Attorney Docket No.: M-15296 US

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San Jose, California

Commissioner for Patents;  
P.O. Box 1450  
Alexandria, VA 22313-1450

**DECLARATION OF MICHAEL SHENKER IN SUPPORT OF DECLARATION  
UNDER 37 CFR 1.131**

Attachments: Exhibits MS-1, MS-2, MS-3, MS-4, MS-5.

1. My name is Michael Shenker. I am a patent attorney. My registration number is 34,250.
2. I prepared the patent application identified above.
3. I provided the first draft of the application to the named inventor (Yi Ding, also known as Nelson Ding) before December 10, 2003.
4. Then I discussed the first draft with the inventor, revised the draft, and emailed the revised draft to the inventor on December 24, 2003. A redacted copy of my email is enclosed as Exhibit MS-1.
5. I discussed the invention again with the inventor on January 14, 2004. See Exhibit MS-2, showing a redacted copy of my notes taken at the discussion and dated January 14, 2004.
6. I revised the application again, and my secretary Jeannie Ha emailed the revised draft of the application to the inventor on January 29, 2004. A copy of the email is enclosed as Exhibit MS-3.

7. Exhibit MS-4 shows the front page of my cover letter to the inventor dated February 25, 2004, and stating, "Enclosed is the ready-to-file patent application ... Declaration for Patent Application ... Assignment ...".

8. Exhibit MS-5 shows the same page stamped with "RECEIVED ... MAR 08 2004 Macpherson Kwok Chen Heid LLP". The stamp indicates that the letter was received on March 8, 2004 by the law firm MacPherson Kwok Chen & Heid LLP with which I was practicing. I believe that the Declaration and the Assignment were executed by the inventor and returned to my law firm with my letter dated February 25, 2004 (Exhibit MS-4), and the law firm received the Declaration and the Assignment on March 8, 2004.

9. All statements made herein of my own knowledge are true, all statements made herein on information and belief are believed to be true, and all statements made herein are made with the knowledge that whoever, in any matter within the jurisdiction of the Patent and Trademark Office, knowingly and willfully falsifies, conceals, or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be subject to the penalties set forth under 18 U.S.C. 1001, and that violations of this paragraph may jeopardize the validity of this patent application, or the validity or enforceability of any patent or certificate resulting therefrom.

Signature: Michael Shenker Date: Jan. 10, 2007  
Michael Shenker

U.S. patent app. no. 10/798,475 Declaration of Michael Shenker Exhibit MS-1

**Michael Shenker**

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**From:** Michael Shenker [mshenker@macpherson-kwok.com]  
**Sent:** Wednesday, December 24, 2003 7:44 AM  
**To:** 'NELSON DING'  
**Cc:**  
**Subject:** M-15296 US



M-15296 US patent application ... M-15296 US  
comparison v1-v2.pdf.

Nelson, attached is a revised draft of the above patent application. Also attached is a comparison document showing changes to the text of the previous draft. Please give me your comments. Thanks.

Michael Shenker  
MacPherson Kwok Chen & Heid LLP  
1762 Technology Drive, Suite 226  
San Jose, CA 95110  
(408) 392-9250, x212  
(408) 392-9262 (fax)  
mshenker@macpherson-kwok.com

U.S. patent app. no. 10/798,475 Declaration of Michael Shenker Exhibit MS-2

1-14-04 N. King,  
m-shenker

BEST AVAILABLE COPY

U.S. patent app. no. 10/798,475 Declaration of Michael Shenker Exhibit MS-3

**Michael Shenker**

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**From:** Jeannie M. Ha [jha@macpherson-kwok.com]

**Sent:** Thursday, January 29, 2004 1:21 PM

**To:** nding@mosel-vitelic.com

**Cc:** mshenker@macpherson-kwok.com

Nelson,

Attached is a revised draft of your patent application (including the drawings) and a comparison version showing changes to the previous draft. Please let Michael Shenker know if changes are needed.

Best regards,

Jeannie M. Ha  
MacPherson Kwok Chen Heid LLP

***MacPherson Kwok Chen & Heid LLP***

*1762 Technology Drive, Suite 226*

*San Jose, CA 95110*

*Tel. (408) 392-9250*

*Fax (408) 392-9262*

*2402 Michelson Drive, Suite 210*

*Irvine, CA 92612*

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*Email: mailbox@macpherson-kwok.com*

February 25, 2004

Yi (Nelson) Ding  
Mosel Vitelic Corporation  
3910 North First Street  
San Jose, CA 95134

Re: U.S. Patent Application entitled "Fabrication of Conductive Lines Interconnecting Conductive Gates In Nonvolatile Memories, and Non-Volatile Memory Structures"  
Inventor(s): Yi Ding  
Our Reference: M-15296 US

Dear Nelson,

Enclosed is the ready-to-file patent application for your above-mentioned invention. Also enclosed is a comparison version showing changes made to the text of the previous draft. Please review this application for accuracy and completeness. If the application as written accurately reflects your invention and thus may be filed in the United States Patent and Trademark Office without any changes, please sign the following enclosed documents.

**DOCUMENTS TO BE SIGNED:**

- ⇒ Declaration for Patent Application – should be signed and dated by you as the inventor(s).
- ⇒ Assignment – should be signed and dated by you as the inventor(s) before a notary public.

When an inventor signs the declaration, the inventor represents that he or she has reviewed and understands the specification including the claims. Failure to read and understand the specification, including the claims, before signing the declaration may jeopardize the application as well as any patent or patents which issue from the application.

**DOCUMENTS TO BE RETURNED TO US FOR FILING IN U.S. PATENT AND TRADEMARK OFFICE ("USPTO"):**

The Declaration, Assignment, application, and drawings should be returned to us. We will then file these documents in the U.S. Patent and Trademark Office.

**IF CHANGES ARE REQUIRED:**

If changes or additions are required in the application, please call me immediately so that we can decide how these changes or additions can best be made.

**MACPHERSON KWOK CHEN & HEID LLP**

1762 Technology Drive, Suite 226

San Jose, CA 95110

Tel. (408) 392-9250

Fax (408) 392-9262

2402 Michelson Drive, Suite 210

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Email: [mailbox@macpherson-kwok.com](mailto:mailbox@macpherson-kwok.com)

February 25, 2004

RECEIVED DOCKET DEPT

MAR 08 2004

Yi (Nelson) Ding  
Mosel Vitelic Corporation  
3910 North First Street  
San Jose, CA 95134

Macpherson Kwok  
Chen Heid LLP

Re: U.S. Patent Application entitled "Fabrication of Conductive Lines Interconnecting Conductive Gates In Nonvolatile Memories, and Non-Volatile Memory Structures"  
Inventor(s): Yi Ding  
Our Reference: M-15296 US

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